

Introduced by Senator PerataFebruary 23, 2007

An act to amend Section 1202.8 of the Penal Code, relating to probation.

LEGISLATIVE COUNSEL'S DIGEST

SB 925, as introduced, Perata. Probation.

Existing law places all probationers under the supervision of the county probation officer.

This bill would make a technical, nonsubstantive change to existing law.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1202.8 of the Penal Code is amended to
2 read:

3 1202.8. (a) Persons placed on probation by a court shall be
4 under the supervision of the county probation officer~~who~~. *The*
5 *county probation officer* shall determine both the level and type
6 of supervision consistent with the court-ordered conditions of
7 probation.

8 (b) Commencing January 1, 2009, every person who has been
9 assessed with the State Authorized Risk Assessment Tool for Sex
10 Offenders (SARATSO) pursuant to Sections 290.04 to 290.06,
11 inclusive, and who has a SARATSO risk level of high shall be
12 continuously electronically monitored while on probation, unless
13 the court determines that such monitoring is unnecessary for a

1 particular person. The monitoring device used for these purposes
2 shall be identified as one that employs the latest available proven
3 effective monitoring technology. Nothing in this section prohibits
4 probation authorities from using electronic monitoring technology
5 pursuant to any other provision of law.

6 (c) Within 30 days of a court making an order to provide
7 restitution to a victim or to the Restitution Fund, the probation
8 officer shall establish an account into which any restitution
9 payments that are not deposited into the Restitution Fund shall be
10 deposited.

11 (d) Beginning January 1, 2009, and every two years thereafter,
12 each probation department shall report to the Corrections Standard
13 Authority all relevant statistics and relevant information regarding
14 on the effectiveness of continuous electronic monitoring of
15 offenders pursuant to subdivision (b). The report shall include the
16 costs of monitoring and the recidivism rates of those persons who
17 have been monitored. The Corrections Standard Authority shall
18 compile the reports and submit a single report to the Legislature
19 and the Governor every two years through 2017.